CONFERENCE ON DISARMAMENT

CD/1158
22 July 1992

Original: ENGLISH

LETTER DATED 20 JULY 1992 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A STATEMENT BY PRESIDENT BUSH ON THE NON-PROLIFERATION INITIATIVE, ANNOUNCED BY HIM ON 13 JULY 1992, AS WELL AS TWO RELATED FACT SHEETS ISSUED BY THE WHITE HOUSE

I have the honour to forward to you the attached Statement by President Bush on the non-proliferation initiative, announced by him on 13 July, as well as two related Fact Sheets issued by the White House.

Could you please take the appropriate steps to register this Statement and the attached Fact Sheets as official documents of the Conference on Disarmament, and to have them distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed): Stephen J. Ledogar
Representative of the
United States of America to
the Conference on Disarmament

GE.92-62365/4661H

FACT SHEET

The White House
Office of the Press Secretary
Kennebunkport, Maine

13 July 1992

STATEMENT BY THE PRESIDENT

A few weeks ago President Boris Yeltsin and I agreed to the most far-reaching reductions in nuclear weaponry since the dawn of the atomic age. Yet even as our own arsenals diminish, the spread of the capability to produce or acquire weapons of mass destruction and the means to deliver them constitutes a growing threat to United States national security interests and world peace. In a world in which regional tensions may unpredictably erupt into war, these weapons could have devastating consequences.

That is why this Administration has fought so hard to stem the proliferation of these terrible weapons. We look back with pride on a solid record of accomplishment. Membership in the Nuclear Non-Proliferation Treaty has grown. The Missile Technology Control Regime and Australia Group have broadened their membership and expanded their controls against trade useful to the development of missiles and chemical and biological weapons. We have toughened our non-proliferation export controls, and other nations have followed suit. We have seen remarkable progress in building and strengthening regional arms control arrangements in Latin America, the Korean Peninsula, and the Middle East.

Yet we need to do more. The demand for these weapons persists and new suppliers of key technologies are emerging. Export controls alone cannot create an airtight seal against proliferation. In an era of advancing technology and trade liberalization, we need to employ the full range of political security, intelligence, and other tools at our disposal.

Therefore, I have set forth today a set of principles to guide our non-proliferation efforts in the years ahead, and directed a number of steps to supplement our existing efforts. These steps include a decision not to produce plutonium and highly-enriched uranium for nuclear explosive purposes and a number of proposals to strengthen international actions against those who contribute to the spread of weapons of mass destruction and the missiles that deliver them.

While these steps will strengthen the barriers against proliferation, success will require hard work and, at times, hard choices. The United States, however, is committed to take a leading role in the international effort to thwart the spread of technologies and weapons that cast a cloud over our future.

FACT SHEET

The White House
Office of the Press Secretary
Kennebunkport, Maine

13 July 1992

NON-PROLIFERATION INITIATIVE

Noting that "the potential spread of the capability to produce or acquire weapons of mass destruction and the means to deliver them constitutes a growing threat to US national security interests", the President today announced a comprehensive initiative to bolster American efforts to stem the spread of these capabilities and to discourage any use of such weapons. The initiative seeks to integrate new and existing policies in an overall framework to guide United States non-proliferation policy in the years ahead.

GUIDING PRINCIPLES

First, the United States will build on existing global norms against proliferation and, where possible, strengthen and broaden them.

Second, the United States will focus special efforts on those areas where the dangers of proliferation remain acute, notably the Middle East, the Persian Gulf, South Asia, and the Korean Peninsula.

Third, United States non-proliferation policy will seek the broadest possible multilateral support, while continuing to show leadership on critical issues.

Fourth, the United States will address the proliferation issue through the entire range of political, diplomatic, economic, intelligence, regional security, export controls, and other tools available.

POLICY OBJECTIVES

Nuclear materials

- Nuclear materials production. The United States shall not produce plutonium or highly-enriched uranium for nuclear explosive purposes. This step is intended to encourage countries in regions of tension such as the Middle East and South Asia to take similar actions, such as those proposed in the May 1991 Middle East Arms Control Initiative. The United States will seek further multilateral support for concrete measures to discourage production or acquisition of weapons-usable nuclear materials in South Asia, the Korean Peninsula, or other areas where they would increase the risk of proliferation.

Multilateral actions

- Compliance with international non-proliferation norms. The United States will take into account other countries' performance on key international non-proliferation norms in developing its cooperation and technology transfer relationships, and will consult with friends and allies on similar approaches.

- Enforcement of international non-proliferation norms. The United States will consult with friends and allies on international actions to be taken against serious violations of non-proliferation norms, e.g., the transfer of any weapon of mass destruction or key weapon facilities, violation of safeguards agreements, or confirmed use of nuclear, chemical, or biological weapons. Actions could include United Nations Security Council embargoes or inspections, assistance to victims of attacks by such weapons, extradition agreements, or immigration restrictions against individuals who have knowingly contributed to proliferation.

- Support for special inspections and weapon destruction. The United States will examine, in consultation with friends and allies, establishment of multilateral funding efforts to support special inspection regimes where necessary and to help States destroy existing weapon stockpiles.

- Harmonization of export controls. The United States will promote harmonized non-proliferation export control lists and enforcement, including an agreement among suppliers not to undercut one another's export restraint decisions.

Regional efforts

- Targeted approaches. The United States will continue to focus special efforts on the dangers of proliferation in South Asia, the Persian Gulf, the Middle East, and on the Korean Peninsula, including efforts to achieve confidence-building measures, inspection regimes, and other economic, political, and security-related measures.

- Former Soviet Union. The United States will continue to work with authorities from Russia and the other new States toward the following objectives:

  - Implementation of all relevant international agreements, such as the Non-Proliferation Treaty, Biological Weapons Convention and, when opened for signature, the Chemical Weapons Convention.

  - Effective internal accounting and physical protection against theft or diversion of nuclear-related materials and equipment.

  - Effective export controls on chemical, biological, nuclear and missile technologies consistent with existing multilateral regimes, including appropriate laws and regulations, as well as education of exporters and customs and enforcement officials.

- Safe and secure dismantlement of nuclear warheads, and effective controls over nuclear-weapon material.

- Creation of opportunities for weapons scientists and engineers to redirect their talents to peaceful endeavours.

- Consideration of requests for assistance in dismantling or destroying Russian biological weapons facilities or in converting these facilities to production of vaccines and other pharmaceutical products, provided Russia is in full compliance with the Biological Weapons Convention.

Global norms

- Chemical Weapons Convention. The United States reaffirms its commitment to see a CWC concluded this year, and calls on all nations to commit to become original signatories.

- NPT and Tlatelolco. The United States will seek the indefinite extension of the NPT in 1995 and full entry into force of the Treaty of Tlatelolco by 1993.

- International Atomic Energy Agency. The United States will work with other nations to strengthen the International Atomic Energy Agency (IAEA), and will support needed increases in the safeguards budget.

- Biological Weapons Convention. The United States will continue to urge universal adherence to the Biological Weapons Convention and increased support for the confidence-building measures agreed by the parties at the 1991 Review Conference.

- Missile Technology Control Regime. The United States reiterates the call of the MTCR Partners for all Governments to adopt the MTCR Guidelines as part of their national policy.

Intelligence

- Non-proliferation Center. The Intelligence Community, including the newly-created Non-proliferation Center, will increase support to international non-proliferation regimes and seek to enlarge the pool of experienced, well-trained experts committed to the non-proliferation mission.

FACT SHEET

The White House
Office of the Press Secretary
Kennebunkport, Maine

13 July 1992

EXISTING NON-PROLIFERATION EFFORTS

- Nuclear Non-Proliferation Treaty (NPT). In the past year, China, South Africa, Latvia, Lithuania, Estonia, and other new parties brought NPT membership to 149. France will soon be a party. In the START Protocol signed in Lisbon, Belarus, Kazakhstan, and Ukraine agreed to join the NPT as non-nuclear weapon States.

- International Atomic Energy Agency (IAEA). The IAEA confirmed its right to conduct "special inspections" at undeclared nuclear facilities. Argentina and Brazil reversed longstanding positions to adopt full-scope IAEA safeguards. After years of delay, North Korea finally complied with its NPT obligations to ratify an IAEA safeguards agreement and accept IAEA inspections.

- Nuclear Suppliers Group (NSG). In April 1992, the 27 NSG members agreed to extend nuclear export controls to dual-use items, and to require full-scope IAEA safeguards as a condition of significant new nuclear supply.

- Missile Technology Control Regime (MTCR). The MTCR expanded its membership to 22, updated its export control list, and agreed to extend its focus to any missile intended to deliver weapons of mass destruction. China, Argentina, and Israel have pledged to observe the MTCR guidelines.

- Enhanced Proliferation Control Initiative (EPCI). Under EPCI, the United States expanded its export controls to cover all 50 identified chemical weapons (CW) precursors, dual-use equipment relevant to chemical and biological weapons production, whole chemical plants, and knowing assistance to chemical or biological weapon or missile programmes.

- Strengthened National Export Controls. Several suppliers have strengthened their domestic export control laws and enforcement mechanisms. Several countries have adopted laws or regulations similar to our EPCI, which restrict assistance by their citizens to nuclear, chemical, biological, or missile programmes.

- Australia Group. The Australia Group expanded its membership to 22 nations, and followed the United States lead in EPCI by expanding its export controls to cover the 50 chemical weapon precursors as well as CW-related dual-use equipment. The Group has just adopted a multilateral control list of biological organisms, toxins, and equipment.

- Middle East Arms Control Initiative. In May 1991, the President launched a process among the five leading conventional arms suppliers - the United States, United Kingdom, France, Russia, and China. In October, the five agreed to observe guidelines of restraint in conventional transfers and to information exchange. In May 1992, the five agreed to interim guidelines for exports related to weapons of mass destruction. Under the Middle East peace process, 23 delegations (including Israel and 12 Arab States) gathered in Washington in May 1992 to discuss regional security and arms control.

- United Nations. The United Nations Special Commission and the IAEA have carried out 39 inspections in Iraq, identified and begun to destroy tens of thousands of chemical munitions, destroyed missile-production equipment and over 150 missiles, revealed an extensive nuclear weapons programme, and oversaw destruction of nuclear weapon-related facilities.

- Latin America. In addition to adopting full-scope IAEA safeguards, Argentina and Brazil joined with Chile to ban chemical and biological weapons in their countries.

CONFERENCE ON DISARMAMENT

CD/1159
28 July 1992

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REPORT OF THE AD HOC COMMITTEE ON RADIOLOGICAL WEAPONS

I. INTRODUCTION

1. In accordance with the decision taken by the Conference on Disarmament at its 606th plenary meeting held on 21 January 1992, as contained in document CD/1122, the Ad Hoc Committee on Radiological Weapons was re-established, for the duration of the 1992 session, with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons. The Conference further decided that the Ad Hoc Committee would report to it on the progress of its work before the conclusion of its 1992 session.

II. ORGANIZATION OF WORK AND DOCUMENTATION

2. At its 613th plenary meeting on 20 February 1992, the Conference on Disarmament appointed Ambassador Serguei Batsanov of the Russian Federation as Chairman of the Ad Hoc Committee. Mr. Michael Cassandra of the United Nations Office for Disarmament Affairs served as Secretary of the Ad Hoc Committee.

3. The Ad Hoc Committee held four meetings from 17 March to 27 July 1992. In addition, the Chairman held a number of informal consultations with delegations.

4. In accordance with the decision of the Conference at its 603rd plenary meeting on 22 August 1991, the Ad hoc Committee was open to non-member States invited by the Conference to participate in its work.

5. In addition to various resolutions adopted by the United Nations General Assembly on the subject at its previous sessions, the Ad Hoc Committee had before it resolution 46/36E adopted by the General Assembly at its forty-sixth session entrusting specific responsibilities to the Conference on Disarmament on this subject.

6. The following working papers were presented to the Ad Hoc Committee:

CD/RW/WP.94 dated 17 March 1992 entitled "Programme of Work and Tentative Timetable for the 1992 session"

CD/RW/WP.94/Add.1 dated 22 June 1992 entitled "Timetable for the remainder of the 1992 session"

CD/RW/WP.95 dated 22 June 1992 entitled "Report of Contact Group A"

CD/RW/WP.96 dated 27 July 1992 entitled "Report of Contact Group B"

III. WORK DURING THE 1992 SESSION

7. At its first meeting on 17 March 1992, at the suggestion of the Chairman, the Ad Hoc Committee agreed that it continue the same method of work adopted since 1987, that is, that Contact Group A continue to consider the prohibition of radiological weapons in the "traditional" sense and that Contact Group B continue to consider issues relevant to the prohibition of attacks against nuclear facilities. */ It was also agreed that the work of the two groups should be pursued as recommended in the 1991 report of the Ad Hoc Committee (CD/1099), that is, to draw upon the two annexes contained in that report as a basis for its work.

8. At the same meeting, the Ad Hoc Committee appointed Mr. John L. Ausman of Canada to co-ordinate the work of Contact Group B. At a subsequent meeting on 23 March 1992, the Ad hoc Committee appointed Mr. Nebojsa Dimitrijevic of Yugoslavia to co-ordinate the work of Contact Group A.

9. The Ad Hoc Committee held a general exchange of views, after which its work was carried out principally in the framework of the Contact Groups as established above. On the basis of that work, the Co-ordinator of Contact Group A presented to the Ad Hoc Committee, at its 3rd meeting on 22 June 1992, the report of the Contact Group (CD/RW/WP.95). The Co-ordinator of Contact Group B presented the report of the Contact Group (CD/RW/WP.96) on 27 July 1992. These two reports are reproduced in Annexes I and II to the present report and reflect the current state of consideration of the issues before the Ad Hoc Committee. It is understood that the contents of the Annexes are not binding on any delegation and are without prejudice to further work.

IV. CONCLUSIONS AND RECOMMENDATIONS

10. The work conducted by the Ad Hoc Committee during its 1992 session contributed further to the clarification of different approaches which continue to exist with regard to both the important subjects under consideration. It is recommended that the Conference on Disarmament re-establish the Ad hoc Committee at the beginning of the 1993 session and that it give guidance to the Ad hoc Committee on reviewing the organization of its work with the aim of fulfilling its mandate.

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*/ One delegation did not take part in the work on the prohibition of attacks against nuclear facilities.

ANNEX I

Report of Contact Group A

1. In accordance with the decision taken by the Ad Hoc Committee on Radiological Weapons at its first meeting on 17 March 1992, Contact Group A was re-established to continue consideration of the issues relevant to the prohibition of radiological weapons.

2. Contact Group A held 4 meetings from 23 March to 22 June 1992. In addition, the Co-ordinator held a number of informal consultations with delegations.

3. According to the guidelines set out during the first meeting of the Ad Hoc Committee, Contact Group A used as a basis for its substantive work the Co-ordinator's record as contained in the Report of the Ad Hoc Committee to the Conference on Disarmament in 1991 (CD/1099, Annex I, Attachment). The Contact Group reviewed the draft articles for a convention on the prohibition of radiological weapons contained therein. New language was added in the footnote attached to the second alternative of both "Scope" and "Definitions". Further, in the section "Verification and Compliance" the bracketted language in paragraph 3 was deleted, as well as the proposal in paragraph 2 of the "Annex". In consequence, the footnote attached to paragraph 6 of "Other Main Elements" was also deleted.

4. The amended Co-ordinator's record is attached to the report and reflects the current stage of the Contact Group's consideration of the question.

5. The Co-ordinator's record is not binding upon any delegation and does not preclude any delegation from introducing proposals to the text as a whole or the elements thereof at a later stage. It is recommended that it be appended to the Ad Hoc Committee's report to the Conference on Disarmament, as a basis for future work.

Attachment

DRAFT ARTICLES FOR A CONVENTION ON THE PROHIBITION OF RADIOLOGICAL WEAPONS

PREAMBLE

The States Parties to this Convention, hereinafter referred to as the "Parties to the Convention",

desiring to contribute to the realization of the purposes and principles of the Charter of the United Nations,

determined to act with a view to achieving progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction as well as the development of new types of such weapons as radiological weapons,

....

bearing in mind that the prohibition of radiological weapons is a step in the process towards general and complete disarmament,

further bearing in mind longlasting effects of radioactive contamination on living creatures as well as on the environment,

Have agreed as follows:

I. SCOPE

Paragraph 1

First alternative

Each Party to the Convention undertakes to prohibit radiological weapons and hence never under any circumstances

(a) to disseminate deliberately any radioactive material, including radioactive waste, for the purpose of causing injury, death, damage or destruction by means of the radiation produced directly or indirectly by the decay of such material,

(b) to develop, produce, stockpile, otherwise acquire, possess or transfer any device specifically designed for the dissemination of radioactive material prohibited under (a) of this paragraph.

Second alternative

[Each Party to the Convention undertakes not to develop, produce, stockpile, otherwise acquire, possess, transfer or use under any circumstances Radiological Weapons as defined in Section II.] 1/

1/ Views were expressed that the second alternative of paragraph one of "Scope", combined with the second alternative of "Definitions" needed further study by all delegations to see whether this or modified language would provide a definition of a radiological weapon which would allow for the deletion of the first alternative and possibly for the deletion of paragraphs one and two of "Other Main Elements".

Paragraph 2

Each Party to the Convention undertakes to take any measures it considers necessary in accordance with its constitutional procedures and its international obligations anywhere under its jurisdiction and control to

(a) prohibit and prevent any activity which would constitute a violation of the obligations undertaken by the Parties to the Convention,

(b) prohibit the diversion and prevent the loss of radioactive material which could be used for purposes prohibited by this Convention.

Paragraph 3

Each Party to the Convention undertakes not to assist, encourage or induce anyone to engage in activities prohibited by the provisions of this Convention.

[II. DEFINITIONS]

First alternative

[For the purposes of this Convention the term "radiological weapon" means:

(i) any device specifically designed for the dissemination of radioactive material to cause [as its primary effect] injury, death, damage or destruction by means of the decay of such material,

(ii) any radioactive material specifically designed and prepared for employment, by its dissemination, to cause injury, death, damage or destruction by the decay of such material,

(iii) any other radioactive material if used for employment by its dissemination to cause injury, death, damage or destruction by the decay of such material.]

Second alternative

[For the purpose of the Convention, the term "radiological weapon" means any device containing radioactive material or waste as its principal harmful element and specifically designed or used to cause injury, death, environmental damage, or destruction through the direct or indirect effects of ionizing radiation, without involving the critical assembly of any fissile material.] 1/

1/ Views were expressed that the second alternative of paragraph one of "Scope", combined with the second alternative of "Definitions" needed further study by all delegations to see whether this or modified language would provide a definition of a radiological weapon which would allow for the deletion of the first alternative and possibly for the deletion of paragraphs one and two of "Other Main Elements".

III. PEACEFUL USES

Paragraph 1

Nothing in this Convention should be interpreted as affecting in any way

(a) the full exercise of the inalienable rights of all Parties to the Convention, without discrimination, to develop, acquire and use nuclear technology, equipment and materials for the peaceful use of nuclear energy and all peaceful applications of their nuclear programmes for economic and social development in accordance with their national priorities, needs and interests, bearing in mind the need to prevent the proliferation of nuclear weapons in all its forms. International co-operation in the peaceful uses of nuclear energy should be conducted under agreed and appropriate international safeguards applied on a non-discriminatory basis,

(b) the undertakings of Parties to the Convention to contribute to the fullest possible extent to international co-operation and assistance to ensure the development and effective implementation of adequate measures of protection for all States against the harmful effects of radiation.

Paragraph 2

Nothing in this Convention shall be interpreted as requiring or permitting a Party to the Convention to take measures which could affect the programmes of other States for peaceful uses of nuclear energy or technology for their economic or social development.

IV. OTHER MAIN ELEMENTS

Paragraph 1

The provisions of this Convention shall not apply to nuclear explosive devices or to radioactive material produced by them 1/.

Paragraph 2

Nothing in this Convention shall be interpreted as in any way legitimizing the development and the use of nuclear weapons or detracting from the obligations of States to refrain from the use or threat of use of such weapons 1/, 2/.

Paragraph 3

Parties to the Convention undertake to pursue urgently negotiations for the cessation of the nuclear arms race, the conclusion of effective measures to prevent the use or threat of use of nuclear weapons and the achievement of nuclear disarmament. 2/, 3/.

1/ Objections were raised against the need for this paragraph.

2/ A view was expressed that this subject might be better dealt with in the preambular part.

3/ Some delegations were of the view that such an undertaking was outside the purview of this Convention.

Paragraph 4

Nothing in this Convention shall be interpreted as in any way limiting or detracting from rules of international law, including

(a) the Charter of the United Nations,

(b) law applicable to armed conflicts,

(c) obligations assumed by Parties to the Convention under other international agreements.

Paragraph 5

Ten years after entry into force of the Convention, or earlier if requested by a simple majority of States Parties, a Conference of States Parties to the Convention shall be held at Geneva, Switzerland. The Conference shall review the operation of the Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention were being realized. Such review shall take into account any relevant technological developments.

At intervals of not less than five years thereafter, a simple majority of the States Parties to the Convention may obtain by submitting a proposal to this effect to the Depositary, the convening of a Conference with the same objectives.

If no Conference has been convened pursuant to paragraph 2 of this Article within ten years following the conclusion of a previous Conference, the Depositary shall solicit the views of all States Parties to this Convention, concerning the convening of such a Conference. If one third of the States Parties respond affirmatively, the Depositary shall take immediate steps to convene the Conference.

Paragraph 6

Each State Party to the Convention undertakes as it considers appropriate to provide or support technical and humanitarian assistance in accordance with the provisions of the Charter of the United Nations, to any State Party which so requests, harmed as a result of a violation of the Convention by another State Party or as a result of the use of radiological weapons by a State not party to the Convention.

For purposes of assistance, the services of appropriate international organisations may also be utilized.

Paragraph 7

Any State Party to this Convention may propose amendments to the Convention. The text of any proposed amendment shall be submitted to the Depositary, who shall promptly circulate it to all States Parties.

An amendment shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Paragraph 8

The Secretary-General of the United Nations shall be the Depositary of this Convention.

V. VERIFICATION AND COMPLIANCE

Paragraph 1

Parties to the Convention shall exchange to the fullest possible extent, bilaterally or multilaterally, information necessary to provide assurance of fulfilment of their obligations under the Convention.

Paragraph 2

Parties to the Convention undertake to consult one another and to co-operate in solving any problems which may be raised in relation to the objectives of, or in the application of, the provisions of the Convention.

Consultation and co-operation pursuant to this paragraph may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the services of appropriate international organizations, as well as of a Committee of Experts. For these purposes the Depositary shall, within one month of the receipt of a request from any State Party to the Convention, convene a Committee of Experts.

Paragraph 3

Each Party to the Convention which has reasons to believe that any other Party to the Convention is acting in breach of the obligations deriving from the provisions of the Convention may lodge a complaint with the Depositary. Such a complaint shall include all relevant information as well as all possible evidence supporting its validity. In order to evaluate such information, the Depositary may convene the Committee of Experts.

The Depositary, assisted by the Committee of Experts, shall conduct an investigation of the alleged facts, whenever the evaluation of the information provided to him indicates that such an investigation is warranted.

The Committee shall transmit to the Depositary a summary of its findings of fact, incorporating all views and information presented to the Committee during its proceedings. The Depositary shall distribute the summary to all Parties to the Convention and to the Security Council and shall indicate his conclusions and suggestions for possible action. In case of urgency ,the Depositary may request the Committee to submit its report within 10 days.

Paragraph 4

Each Party to the Convention undertakes to co-operate to the fullest possible extent with the Committee of Experts, in accordance with the provisions of the Charter of the United Nations.

Paragraph 5

The functions and rules of procedure of the Committee of Experts mentioned in the above Paragraphs 2, 3, and 4 are set out in the Annex, which constitutes an integral part of the Convention.

Paragraph 6

The provisions of Paragraph 3 of this section shall not be interpreted as affecting the rights and duties of Parties under the Charter of the United Nations, including bringing to the attention of the Security Council concerns about compliance with this Convention.

ANNEX

1. The Committee of Experts shall undertake to make appropriate findings of fact and provide expert views relevant to any problem raised pursuant to the Convention by the Party requesting the convening of the Committee. It may be requested by the Depositary to carry out investigations in case of complaints lodged by a Party to the Convention.

2. The work of the Committee of Experts shall be organized in such a way as to permit it to perform the functions set forth in Paragraph 1 of the Annex. In the process of such investigations, including fact-finding, every effort should be made to apply appropriate methods and procedures which are non-discriminatory and which do not unduly interfere with the internal affairs of other States or jeopardize their economic and social development.

3. The Depositary shall:

- compile and maintain a list of qualified experts whose services may be available for the work of the Committee of Experts in accordance with Paragraphs 1 and 2 of the Annex;

- base the list of qualified experts on proposals which had been made to him by Parties to the Convention;

- appoint members of the Committee of Experts from such a list with due regard to ensuring appropriate geographical balance and to the character of the question involved.

4. The Depositary or his representative shall serve as the Chairman of the Committee.

5. Each expert may be assisted at meetings by one or more advisers.

6. Each expert shall have the right, through the Chairman, to request from States, and from international organizations, such information and assistance as the expert considers desirable for the accomplishment of the Committee's work. Each Party undertakes not to use deliberate concealment measures which impede verification of compliance with the Convention.

ANNEX II

Report of Contact Group B

1. In accordance with the decision taken by the Ad hoc Committee on Radiological Weapons at its 1st meeting on 17 March 1992, Contact Group B was re-established to continue consideration of the issues relevant to the prohibition of attacks against nuclear facilities.

2. Contact Group B held 5 meetings from 23 March to 27 July 1992. In addition, the Co-ordinator held private consultations with some delegations.

3. According to guidelines set out during the 1st meeting of the Ad hoc Committee, Contact Group B used as a basis for its substantive work the Co-ordinator's record as contained in the Report of the Ad hoc Committee to the Conference on Disarmament in 1991 (CD/1099, Annex II, Attachment). The Contact Group focussed on the most basic elements of its work, that related to the scope of an agreement, and reviewed one by one the three existing alternatives. Two new alternatives were circulated as informal documents but were withdrawn as neither attracted wide support. A modification has been made under the "Criteria" section, with the deletion of "[10^{18}]" in paragraph 1 (iii), (iv) and (v).

4. The amended Co-ordinator's record is attached to the report and reflects the current stage of the Contact Group's consideration of the question.

5. The Co-ordinator's record is not binding upon any delegation and its main purpose is to facilitate future consideration. It is recommended that it be appended to the Ad hoc Committee's report to the Conference on Disarmament, as a basis for future work.

Attachment

POSSIBLE ELEMENTS RELEVANT TO THE PROHIBITION OF ATTACKS AGAINST NUCLEAR FACILITIES 1/ 2/

I. SCOPE

Paragraph 1

First alternative

Each State Party undertakes never under any circumstances to attack nuclear facilities covered by this Treaty.

Second alternative

Each State Party undertakes never under any circumstances to attack or to threaten to attack any nuclear facility.

Third alternative 3/

Each State Party undertakes never under any circumstances to release and disseminate radioactive substances by attacking nuclear facilities covered by this Treaty.

Paragraph 2

Each State Party undertakes not in any way to assist, encourage or induce any person, State, group of States, or international organization to act in contravention of this Treaty.

1/ This record does not prejudice the eventual positions of delegations relating to the question of "linkage", or the positions of delegations on the question of the need of having additional legal protection for nuclear facilities. As to the latter, a view was expressed that additional discussion on existing international agreements pertaining to the question is needed.

2/ One delegation stated that, apart from the fact that the elements listed were controversial, the third alternative under Scope, paragraph 1 of the Definitions and the sections on Criteria and Special Marking were not essential to the elaboration of a convention. The section on Special Marking could have been recast within the section on Register. That was not, however, the case of the other elements mentioned, particularly the section on Criteria, which, in its opinion, seemed incompatible with the rule of jus cogens in article 2, paragraph 4, of the Charter of the United Nations.

3/ Some delegations stated that the third alternative of Scope based on the criterion of mass destruction read in conjunction with the first alternative of paragraph 2 of Definitions, paragraph 1 of Criteria, paragraph 1 to 3, the first alternative of paragraph 4, paragraphs 5 and 6 of Register as well as Special Marking in Paragraph 1 under Other Main Elements constitute one complete and consistent set of elements to be included in a draft Treaty.

II. DEFINITIONS

Paragraph 1

For the purposes of this Treaty, the term "attack" means any act by a State which is designed to cause or causes, directly or indirectly:

(i) any damage to, or the destruction of, a nuclear facility; or

(ii) any interference, interruption, impediment, stoppage or breakdown in the operation of a nuclear facility; or

(iii) any injury to, or the death of, any of the personnel of a nuclear facility.

Paragraph 2

First alternative

For the purpose of this Treaty, the term "nuclear facilities" means: 1/

(i) Nuclear reactors;

(ii) Intermediate spent fuel storages;

(iii) Reprocessing plants;

(iv) Waste deposits, including temporary waste storages;

(v) Installations for production or use of important and intensive sources of gamma radiation; 2/

which are included in a Register maintained by the Depositary.

Second alternative

A nuclear facility means a nuclear reactor or any other facility for the production, handling, treatment, processing or storage of nuclear fuel or other nuclear material.

1/ A suggestion was made to add two further categories after "(iii) Reprocessing plants;"

(iv) Nuclear fuel processing plants;

(v) Uranium enrichment plants.

2/ A view was expressed that this provision should be further refined.

III. CRITERIA

Paragraph 1

The nuclear facilities mentioned in paragraph 2 of Definitions shall meet the following specifications: 1/

(i) They shall be stationary on land; 2/ 3/

(ii) Nuclear reactors; designed for a thermal power which could exceed 1 [10] Megawatt, shall have reached their first criticality and shall not have been decommissioned;

(iii) Intermediate spent fuel storages; designed for storing radioactive material exceeding 10^{17} Bq;

(iv) Reprocessing plants; designed for containing radioactive material exceeding 10^{17} Bq;

(v) Waste deposits: containing radioactive material exceeding 10^{17} Bq;

(vi) Installations for production or use of intensive sources of gamma radiation: designed to contain radioactive material whose gamma-radiation-dissipated power is equal to or greater than 6 x 10^{16} [10^{17}] Bq x Mev.

Paragraph 2

Additional specification suggested to the above specifications:

Nuclear facilities mentioned in paragraph 2 of Definitions which are under the safeguards of the International Atomic Energy Agency are covered by the provision of this Treaty.

1/ Views were expressed that nuclear facilities mentioned in paragraph 2 of Definitions shall be used for peaceful purposes and subject to IAEA safeguards.

2/ Views were expressed that nuclear facilities stationed in territorial waters and the exclusive economic zones should also be considered.

3/ Views were expressed that such nuclear facilities should not belong to weapons systems.

IV. REGISTER

Paragraph 1

The Depositary shall establish, on the basis of initial communications by States Parties, as set out in paragraph 2 below, a comprehensive Register of nuclear facilities covered by this Treaty, and shall maintain this Register on the basis of subsequent communications on changes, as set out in paragraph 5 below.

Certified copies of the Register shall be transmitted to each State Party ... days after entry into force of the Treaty.

Certified copies of the Register in its entirety including all modifications shall be transmitted to each State Party at intervals of ... and be available to States Parties at any time in the offices of the Depositary.

Paragraph 2

States Parties requesting that nuclear facilities under their jurisdiction be included in the Register shall for each such facility communicate to the Depositary the following written information:

(a) Identification of the type of nuclear facility;

(b) Detailed specifications in accordance with Paragraph 1 of Criteria of this Treaty;

(c) Details on the exact geographical location of the nuclear facility.

Paragraph 3 1/

Upon receipt of a request for an inclusion in the Register, the Depositary shall without delay initiate procedures to confirm that the information contained in the request is correct:

(a) Through, to the extent possible, documentation from the IAEA; and/or

(b) Through other means, including a mission to the facility, when necessary.

For the purpose of carrying out the procedures in paragraph 3 (a) above the Depositary may, as it deems necessary, enter into agreement with the IAEA.

For the purpose of carrying out the procedures in paragraph 3 (b) above the Depositary shall, with the co-operation of States Party to the Treaty, compile and maintain a list of qualified experts, whose services could be made available to undertake such missions.

1/ A view was expressed that this provision calls for further discussion.

Paragraph 4

First alternative

The Depositary shall include the facility in the Register as well as the information required by paragraph 2 of this section, as soon as the information given in the request has been confirmed according to paragraph 3 above, and shall immediately notify States Parties to the Treaty of the aforesaid inclusion.

Second alternative

The Depositary shall include the facility in the Register as well as the information required by paragraph 2 of this section and shall immediately notify States Party to the Treaty of aforesaid inclusion.

Paragraph 5

A State Party shall inform the Depositary, within ...days/months, of any change in the information it had provided for inclusion in the Register. Upon the receipt of such information, the Depositary shall act, mutatis mutandi, in accordance with the procedures outlined in paragraphs 3 and 4 of this section.

Paragraph 6 1/

The costs for implementing these procedures shall be borne by the requesting State.

V. VERIFICATION AND COMPLIANCE

Paragraph 1

States Parties to this Treaty shall make every possible effort to consult one another and to co-operate in solving any problems which may be raised in relation to the objectives of, or in the application of the provisions of, the Treaty.

Paragraph 2

A State Party may lodge a complaint with the Depositary in case it believes that any other State Party is in breach of obligations deriving from this Treaty. Such complaint shall include all relevant information and all possible evidence supporting the validity of the complaint.

1/ There was general agreement that the modalities as well as the placement of this provision should be further discussed.

Paragraph 3

First alternative

Within ... days of the receipt of a complaint from any State Party the Depositary shall initiate an investigation to ascertain facts relevant to the complaint. Such an investigation may include a fact-finding mission to or at the site of the nuclear facility concerned and to any other site as may be appropriate. The fact-finding mission shall submit its findings to the Depositary within ... days.

Second alternative

Within ... days of the receipt of a complaint from any State Party the Depositary shall initiate an investigation to ascertain facts relevant to the complaint. Such an investigation shall include a fact-finding mission to or at the site of the nuclear facility concerned and to any other site as may be appropriate. The fact-finding mission shall submit its findings to the Depositary within ... days.

Paragraph 4

For purposes of carrying out a fact-finding mission the Depositary shall maintain a list of qualified experts, selected on as wide a geographical basis as possible, whose services may be available to undertake such missions.

Paragraph 5

States Parties undertake to co-operate in carrying out the investigation which the Depositary may initiate on a complaint received from any State Party. The Depositary shall inform the States Parties of the results of the investigation. A copy of the report on the investigation shall be transmitted also to the Security Council and the General Assembly of the United Nations.

Paragraph 6

First alternative

The Depositary shall, upon request of a State Party, convene the Conference of States Parties to consider the report on the investigation as well as possible courses of action.

Second alternative

The Depositary shall immediately convene the Conference of States Parties to consider the report on the investigation and to adopt such measures as may be appropriate.

Paragraph 7

First alternative

The continuing application of IAEA safeguards at a nuclear facility will form an essential part of the arrangements to verify that the facility is a peaceful nuclear facility within the meaning of the Treaty. 1/ 2/

Second alternative

The determination that a facility is and remains a peaceful nuclear facility within the meaning of the Treaty shall be made by the application of IAEA safeguards. 1/ 2/

Third alternative

The application of IAEA safeguards to a nuclear facility shall be of no relevance to the verification of compliance with obligations assumed by States Parties to this Treaty.

VI. OTHER MAIN ELEMENTS

Paragraph 1

A State Party may mark its nuclear facilities included in the Register with Special Marking.

Paragraph 2 3/ 4/ 5/

States Parties undertake to provide or support assistance to any State Party harmed as a result of the violation of the Treaty.

Paragraph 3

Provisions of this Treaty are without prejudice to the obligations of State Parties undertaken in other international instruments relevant to the subject of this Treaty.

Paragraph 4

The Secretary-General shall be designated as Depositary of this Treaty.

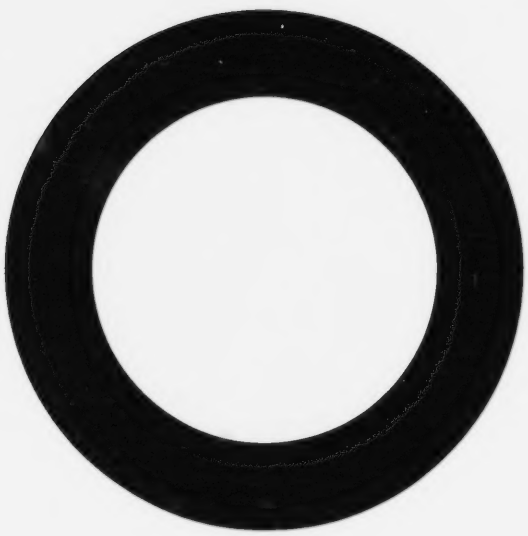
1/ It was stated that the application of IAEA safeguards was irrelevant to the objectives of this Treaty and that if anyway addressed, the issue belonged under the provisions for inclusion in the Register.

2/ The view was expressed that the application of IAEA safeguards could not verify that a nuclear facility was a peaceful one but rather that nuclear material remained in peaceful use.

3/ A view was expressed that the obligation of States Parties to provide assistance was limited to the radiological damage caused by an attack.

4/ Views were expressed that the assistance to be provided or supported to any harmed State Party should not be limited to cases of violations by States Parties, but should also cover harm inflicted by attacks from States not party to the Convention.

5/ Views were expressed that there should be no mandatory obligation of States Parties to provide assistance.



CONFERENCE ON DISARMAMENT

CD/1160
3 August 1992

Original: ENGLISH

REPORT OF THE AD HOC COMMITTEE ON EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

I. Introduction

1. At its 606th plenary meeting on 21 January 1992 the Conference on Disarmament decided to re-establish, for the duration of its 1992 session, an Ad Hoc Committee to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. It further decided that the Ad Hoc Committee would report to the Conference on the progress of its work before the conclusion of the 1992 annual session (CD/1121).

II. Organization of work

2. At its 613th plenary meeting on 20 February 1992, the Conference on Disarmament appointed Ambassador Sirous Nasseri of the Islamic Republic of Iran as Chairman of the Ad Hoc Committee. Mr. V. Bogomolov, Political Affairs Officer, United Nations Office for Disarmament Affairs, served as Secretary of the Ad Hoc Committee.

3. The Ad Hoc Committee held three meetings between 22 June and 3 August 1992.

4. In addition to the documents of the previous sessions related to this item, the following working paper was submitted to the Ad Hoc Committee by France at this annual session: CD/SA/WP.14 dated 3 August 1992 entitled "Basic elements for a legally binding agreement on negative security assurances".

III. Substantive work

5. At the beginning of the annual session, the Chairman of the Ad Hoc Committee conducted informal consultations with the delegations and the Group coordinators to determine the best way to address the item entitled "Effective

International Arrangements to Assure Non-nuclear-weapon States against the Use or Threat of Use of Nuclear Weapons" this year, particularly in light of the Conference's focus on concluding the Chemical Weapons Convention. These consultations revealed that all delegations, including those of the nuclear weapon States, continued to attach importance to the agenda item and were ready to engage in substantive discussions on the issue.

6. During the formal meetings of the Ad Hoc Committee, various groups and individual delegations reaffirmed or further elaborated their respective positions, the detailed descriptions of which can be found in the previous annual reports of the Committee, related Conference documents and working papers, and Plenary records.

IV. Conclusions and recommendations

7. The Ad Hoc Committee reaffirmed that non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons pending effective measures of nuclear disarmament. Work on the substance of the effective arrangements and discussion on some aspects and elements of a solution, together with the series of informal consultations by the Chairman, revealed that specific difficulties relating to differing perceptions of security interests of nuclear-weapon States and non-nuclear weapon States persisted and that the complex nature of the issues involved continued to prevent agreement on a 'common formula'. The formal debates and informal consultations demonstrated the readiness of delegations to continue the search for a common approach on the substance of Negative Security Assurances.

8. Against this background the Conference on Disarmament continued to recognize the importance of the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons and felt that there was a need to take a fresh look at this question, in light of recent transformations in the international political climate and other positive developments in order to achieve forward movement in this extremely important area so as to enable the Ad Hoc Committee to fulfil its mandate as soon as possible.

9. Accordingly there was agreement on the recommendation that the Ad Hoc Committee should be re-established at the beginning of the 1993 session.

CONFERENCE ON DISARMAMENT

CD/1161
CD/CW/WP.426
5 August 1992

Original: ENGLISH

LETTER DATED 3 AUGUST 1992 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE AGREEMENT BETWEEN THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA AND THE PRESIDENT'S COMMITTEE ON CONVENTIONAL PROBLEMS OF CHEMICAL AND BIOLOGICAL WEAPONS OF THE RUSSIAN FEDERATION CONCERNING THE SAFE, SECURE AND ECOLOGICALLY SOUND DESTRUCTION OF CHEMICAL WEAPONS

I have the honour to forward to you the attached Agreement between the United States of America and the Russian Federation concerning the Safe, Secure and Ecologically Sound Destruction of Chemical Weapons, signed at Washington, D.C. on July 30, 1992.

Could you please take the appropriate steps to register this Agreement as an official document of the Conference on Disarmament and of the Ad Hoc Committee on Chemical Weapons, and to have it distributed to all in the work of the Conference. It is my understanding that Ambassador Batsanov, Head of the Russian Delegation to the Conference on Disarmament, would plan to submit to you the Russian language version of this agreement.

(Signed) STEPHEN J. LEDOGAR
Representative of the United States of America
to the Conference on Disarmament

GE.92-62553

AGREEMENT
BETWEEN
THE DEPARTMENT OF DEFENSE OF THE
UNITED STATES OF AMERICA
AND
THE PRESIDENT'S COMMITTEE ON CONVENTIONAL PROBLEMS OF CHEMICAL
AND BIOLOGICAL WEAPONS OF THE RUSSIAN FEDERATION
CONCERNING
THE SAFE, SECURE AND ECOLOGICALLY SOUND DESTRUCTION
OF CHEMICAL WEAPONS

The Department of Defense of the United States of America and the President's Committee on Conventional Problems of Chemical and Biological Weapons of the Russian Federation, hereinafter referred to as the Parties,

Desiring to facilitate the safe, secure and ecologically sound destruction of chemical weapons in the Russian Federation and to assist in the prevention of weapons proliferation,

Have agreed as follows:

ARTICLE I

1. In order to assist the Russian Federation in the safe, secure, ecologically sound and expeditious destruction of chemical weapons in accordance with existing or future agreements between the Parties, the Department of Defense of the United States of America, hereinafter referred to as DOD, shall provide at no cost to the President's Committee on Conventional Problems of Chemical and Biological Weapons of the Russian Federation, hereinafter referred to as the Committee, chemical weapons destruction assistance in accordance with the terms of this Agreement.

2. The Committee shall use all material (including projects, equipment and instruments), training and services provided in accordance with this Agreement exclusively for the purpose of facilitating the safe, secure, ecologically sound and expeditious destruction of chemical weapons.

3. The DOD and the United States of America shall not be responsible for ensuring either the proper use of material, training or services provided in accordance with this Agreement or against any failure of the material, training or services.

4. This Agreement and all activities undertaken in accordance with this Agreement shall be subject to the provisions of the Agreement between the United States of America and the Russian Federation Concerning the Safe and Secure Transportation, Storage and Destruction of Weapons and the Prevention of Weapons Proliferation of June 17, 1992, hereinafter referred to as the Weapons Destruction and Non-Proliferation Agreement.

ARTICLE II

1. Each Party to this Agreement shall have the right, following written notification to the other Party, to delegate responsibilities for the implementation of this Agreement to other agencies, departments or units of their respective governments.

2. Each Party to this Agreement shall have the right, following written notification to the other Party, to designate technical liaison representatives for material, training and services provided pursuant to this Agreement.

ARTICLE III

1. The total cost to DOD of all material, training and services provided pursuant to this Agreement and associated expenses, including costs related to the transportation of material and personnel to and from the Russian Federation, shall not exceed twenty-five million U.S. Dollars.

2. Pursuant to the terms of this Agreement, the DOD shall provide to the Committee the following assistance:

(a) Development with the Committee of a concept plan, including systems analysis and design, for chemical weapons destruction. This concept plan shall be developed by the DOD, in consultation with the Committee and the United States contractor and/or contractors. In developing this plan, the DOD shall take into account Committee recommendations regarding the statement of work.

(b) Provision of detection, systems of analysis, and alarm systems for the transport of chemical weapons and/or for safety and warning purposes at chemical weapons destruction sites. The quantity and specifications for such material shall be determined by the DOD, in consultation with the Committee.

(c) Establishment of a familiarization program for Russian Federation chemical weapons destruction experts and engineers at facilities in the United States of America selected by the Department of Defense. The number of experts and engineers to participate in this program shall be determined by the DOD, in consultation with the Committee.

(d) Visits by Committee technical representatives to chemical weapons destruction facilities in the United States of America. The number of representatives to participate in these visits shall be determined by the DOD, in consultation with the Committee.

(e) Demonstration of protective equipment and provision of other training or tutorials related to chemical weapons destruction. Scheduling and additional procedures related to the provision of this training shall be established by the DOD, in consultation with the Committee.

3. The DOD may also provide, at its discretion, to the Committee pursuant to this Agreement the following types of assistance:

(a) Development of mobile chemical weapons destruction systems.

(b) Participation in the creation of national laboratory complexes for control and destruction sites, to include providing the technical equipment necessary to stock the laboratories.

(c) Provision, in accordance with procedures to be agreed upon by the Parties, of technical equipment such as control and metering systems and other automation systems required for destruction sites.

(d) Provision of medical facilities at destruction sites.

(e) Joint DOD/Committee testing or experimentation related to chemical weapons destruction.

(f) Such other cooperation related to chemical weapons destruction as may be agreed by the Parties.

4. Unless otherwise agreed by the Parties, the material to be provided by the DOD to the Committee pursuant to this Agreement shall be delivered to Moscow. The DOD shall notify the Committee of the planned date of each shipment at least seven days in advance of the anticipated shipping date. The Committee shall take possession of material within six hours after receipt of the notification of the arrival of such material.

ARTICLE IV

The Committee shall examine all material received pursuant to this Agreement and provide confirmation to the DOD within 10 days of receipt that they conform with the technical specifications established by the DOD. Material failing to conform with agreed specifications shall be returned to the United States of America through the Embassy of the United States of America at Moscow within 30 days of receipt for replacement.

ARTICLE V

1. Upon 30 days advance notice and no more than three times in each calendar year, representatives of the DOD shall have the right to examine the use of any material, training or other services provided in accordance with this Agreement, if possible at sites of their location or use, and shall have the right to inspect any and all related records or documentation during the period of this Agreement and for three years thereafter.

2. In addition to the inspections provided for by paragraph 1 of this article, representatives of the DOD shall have the right to conduct visits to locations in the Russian Federation in which DOD contractor work is being performed in order to monitor progress on approved projects and assure fulfillment of the terms of applicable contracts.

ARTICLE VI

As appropriate, the Parties may enter into implementing arrangements to carry out the provisions of this Agreement. In case of any inconsistency between this Agreement and any such arrangements, the provisions of this Agreement shall prevail.

ARTICLE VII

This Agreement shall enter into force upon signature and shall remain in force for the duration of the Weapons Destruction and Non-Proliferation Agreement. This Agreement may be amended or extended by the written agreement of the Parties and may be terminated by either Party upon ninety days written notification to the other Party of its intention to do so.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this agreeement.

DONE at Washington, this Thirty day of July, 1992, in duplicate in the English and Russian languages, both texts being equally authentic.

FOR THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA:

FOR THE PRESIDENT'S COMMITTEE ON CONVENTIONAL PROBLEMS OF CHEMICAL AND BIOLOGICAL WEAPONS OF THE RUSSIAN PEDERATION:

CONFERENCE ON DISARMAMENT

CD/1162
12 August 1992

Original: ENGLISH

LETTER DATED 3 AUGUST 1992 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING DOCUMENTS RELATING TO ARMS CONTROL AND DISARMAMENT ISSUES AGREED ON DURING THE SUMMIT MEETING HELD BY PRESIDENTS BUSH AND YELTSIN IN WASHINGTON, D.C. IN JUNE 1992*

I have the honour to forward to you the attached documents relating to arms control and disarmament issues agreed on during the Summit Meeting held by Presidents Bush and Yeltsin in Washington, D.C. in June 1992:

- A Charter for American-Russian Partnership and Friendship;
- Joint Understanding (on further reductions in strategic offensive arms);
- Joint Statement on Chemical Weapons;
- Joint Russia-United States Statement on Korean Nuclear Non-proliferation;
- Joint Statement on a Global Protection System;
- Joint Russian-American Declaration on Defence Conversion;
- Agreement on the Safe and Secure Transportation, Storage and Destruction of Weapons and the Prevention of Weapons Proliferation;
- Agreement Concerning the Safe and Secure Transportation and Storage of Nuclear Weapons through the Provision of Emergency Response Equipment and Related Training;

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* The official Russian texts of the above-mentioned documents are to be found in CD/1166.

GE.92-62608/4785B (E)

- Agreement Concerning the Safe and Secure Transportation and Storage of Nuclear Weapons through the Provision of Armoured Blankets; and

- Agreement Concerning the Safe and Secure Transportation and Storage of Nuclear Weapons Material through the Provision of Fissile Material Containers.

Could you please take the appropriate steps to register these documents as official documents of the Conference on Disarmament, and to have them distributed to all member delegations and non-member States participating in the work of the Conference. It is my understanding that Ambassador Batsanov, Head of the Russian Delegation to the Conference on Disarmament, would plan to submit to you the Russian language version of these documents.

(Signed) Stephen J. Ledogar
Representative of the
United States of America
to the Conference on Disarmament

17 June 1992

A CHARTER FOR AMERICAN-RUSSIAN PARTNERSHIP AND FRIENDSHIP

The United States of America and the Russian Federation,

Striving to provide a solid and enduring basis for American-Russian relations of partnership and friendship;

Believing that the advancement of the well-being, prosperity, and security of a democratic Russian Federation and the United States of America are vitally interrelated;

Declaring their determination to observe strictly democratic principles and practices, including the rule of law and respect for human rights and fundamental freedoms, including the rights of persons belonging to minorities;

Recognizing the importance of the rights of the individual in building a just and prosperous society;

Reaffirming their commitment to the purposes and principles of the United Nations Charter, the Helsinki Final Act, and subsequent CSCE documents;

Desiring to build a democratic peace that unites the entire community of democratic nations;

Noting their special responsibility as permanent members of the United Nations Security Council for maintaining international peace and security;

Wishing to promote the development of free markets, economic recovery and growth, and closer economic cooperation, trade, and investment;

Have established the following Charter for American-Russian Partnership and Friendship:

DEMOCRACY AND PARTNERSHIP

The United States of America and the Russian Federation reaffirm their commitment to the ideals of democracy, to the primacy of the rule of law, and to respect for human rights and fundamental freedoms. The United States of America fully supports the Russian Federation's efforts to build a democratic State and society founded on the rule of law and respect for fundamental human rights. Beginning with mutual trust and respect as the basis for their relations, they are developing relations of partnership and friendship.

The United States of America and the Russian Federation will cooperate closely in the international arena in the interest of advancing and defending common democratic values and human rights and fundamental freedoms.

The United States of America and the Russian Federation intend to expand and intensify a comprehensive dialogue at various levels on both bilateral and international issues.

Given the crucial importance of contacts between the President of the United States of America and the President of the Russian Federation for defining the basic directions of bilateral relations and also in terms of global cooperation and stability, Summit meetings will be held on a regular basis.

The United States of America and the Russian Federation express their determination to promote confidence and enhance understanding between their peoples. They proceed on the assumption that an expansion of contacts between citizens will help ensure the irreversibility of the new quality of American-Russian relations.

For this purpose, they intend to facilitate the establishment of direct contacts between citizens and political, social, labour, religious and other organizations.

The United States of America and the Russian Federation are prepared to facilitate the work of each other's diplomats, journalists, businessmen, scientists, and other citizens by reaching agreement in opening their lands to travel, by lifting other travel restrictions, and by expanding their consulates.

The United States of America and the Russian Federation place particular emphasis on developing appropriate contacts between all levels of government - federal, regional, and local - and between private sector and voluntary organizations.

The United States of America intends to continue cooperation toward strengthening democratic institutions and a rule of law state in Russia, including developing an independent judiciary and institutionalizing guarantees for respect of individual rights.

INTERNATIONAL PEACE AND SECURITY

The United States of America and the Russian Federation reiterate their determination to build a democratic peace, one founded on the twin pillars of political and economic freedom. The United States of America and the Russian Federation recognize the critical importance that democracy's success in Russia and the other former Soviet republics can have on international peace and security.

The United States of America and the Russian Federation, proceeding from the basis of mutual trust and respect and a common commitment to democracy and economic freedom and reaffirming the Camp David Declaration of February 1992, the November 1990 Charter of Paris, the December 1991, March 1992, and June 1992 communiqués of the North Atlantic Cooperation Council, and the April 1992 communiqué of the Defence Ministers' Meeting, once again declare that they do not regard each other as adversaries and are developing relations of partnership and friendship.

Consistent with the United Nations Charter and other treaty obligations, the United States of America and the Russian Federation confirm their commitments to settle disputes between them by peaceful means and to refrain from the threat or use of force against the territorial integrity and political independence of each other.

Beginning on the basis of their shared democratic values, the United States of America and the Russian Federation will unite in their efforts toward strengthening international peace and security, preventing and settling regional conflicts, and solving global problems.

While working toward a democratic peace, the United States of America and the Russian Federation realize that the end of the cold war has not meant the end of insecurity and conflict in Europe. Ethnic tensions, territorial disputes, and international rivalries already threaten to turn an opportunity for peace into yet another phase of European turmoil.

The United States of America and the Russian Federation reaffirm their respect for the independence and sovereignty and the existing borders of the CSCE-participating States, including the new independent States, and recognize that border changes can be made only by peaceful and consensual means, in accordance with the rules of international law and the principles of CSCE.

Like the other nations of the Euro-Atlantic Community, the United States of America and the Russian Federation cannot accept another phase of European instability. They therefore intend to lend both support and leadership to the effort to spare this community further tragedies like that which has befallen the peoples of Yugoslavia. The need is clear: International means of collective engagement must be devised and strengthened to help prevent conflicts by addressing their root causes, to help resolve disputes before they become violent, to help mediate an end to conflicts wherever they occur, and to help keep the peace once it is established.

Therefore, mechanisms for conflict prevention, management, and settlement and European peace-keeping capabilities must be strengthened if we are to adequately cope with future conflicts. To this end, the United States of America and the Russian Federation support the following initiatives:

The creation of a CSCE special representative to help strengthen efforts to address ethnic antagonisms and the treatment of minorities.

The strengthening of means within CSCE to provide for more effective international dispute prevention, management, and settlement.

The creation of a credible Euro-Atlantic peace-keeping capability, based on CSCE political authority, which allows for the use of the capacities of NACC, NATO, and WEU to prepare, support, and manage operations for CSCE as well as allows for the contribution of forces and resources from any and all CSCE States.

With the security of North America and Europe inseparable, the United States of America and the Russian Federation support the strengthening of the Euro-Atlantic Community, believing that security is indivisible from

Vancouver to Vladivostok. The parties share a vision of such a Euro-Atlantic Community as being open to cooperation with all democratic societies. A prominent role for institutions like NACC, NATO, and WEU along with CSCE contributes uniquely to Euro-Atlantic security. The potential of other institutions and mechanisms, including the Commonwealth of Independent States, in support of security and peace in the area is also noted.

The United States of America and the Russian Federation believe that strengthening confidence and stability in Asia and the Pacific region in cooperation with other States will also promote global security. The parties are prepared to cooperate on these goals. They aim at a fuller utilization of the potential of economic-commercial cooperation in this region of the world, particularly in view of the geographic positions of the United States of America and Russia.

Noting the progress in the resolution of long-standing conflicts, promotion of democracy and human rights, and advancement of economic freedom and prosperity in vast areas of Latin America, Africa, and Asia, the United States of America and the Russian Federation stress the necessity to continue this process. Both sides are ready to contribute to tapping the new potential for peace, to putting an end to conflicts, to bolstering mutual confidence and trust, and to enhancing democracy - which forms the basis of an enduring peace in all parts of the world.

With the aim of coordinating crisis prevention activities, the United States of America and the Russian Federation recognize the critical importance of maintaining open lines of communication and exchange. The United States of America and the Russian Federation recognize the importance of the United Nations Security Council and intend to maintain communications with other members of the Security Council to prevent, manage, and resolve crises. The United States and the Russian Federation recognize the prominent role of the United Nations in solving major international problems. They welcome in particular the contribution of the United Nations to peace and security, including the strengthening of United Nations peace-keeping.

The United States of America and the Russian Federation are prepared to work together toward further arms control and disarmament with the aim of promoting stability through implementation with all countries involved of the treaties on conventional forces in Europe and on the reduction and limitation of strategic offensive arms and by carrying out respective United States and Russian unilateral and complementary nuclear initiatives. They are committed to discuss further steps which might improve stability and result in further reductions of nuclear and conventional weapons, the global elimination of chemical weapons, and the promotion of confidence-building and crisis prevention measures.

The United States of America and the Russian Federation are prepared to cooperate in the matter of eliminating nuclear warheads and chemical weapons subject to destruction within the framework of treaty obligations and unilateral and complementary initiatives.

The United States of America and the Russian Federation believe that non-proliferation of weapons of mass destruction is a critical priority. Both parties will work towards strengthening and improving the non-proliferation regimes of weapons of mass destruction, including nuclear, biological, and chemical weapons; of missiles and missile technology; as well as of destabilizing conventional weapons in accordance with international rules and agreements.

In this regard, the United States of America and the Russian Federation, in a separate statement, have expressed their determination to cooperate in exploring the potential to create a Ballistic Missile Early Warning Centre and to cooperate in the development of ballistic missile defence capabilities and technologies.

In view of the potential for building a strategic partnership between the United States of America and the Russian Federation, the parties intend to accelerate defence cooperation between their military establishments including: intensifying contacts at all levels; expanding activities that encourage doctrinal and operational openness; establishing expanded exchange and liaison programmes; exchanging ideas on fostering proper civil-military relations in a democratic society. The parties will also pursue cooperation in peacekeeping, counter-terrorism, and counter-narcotics missions.

The United States of America and the Russian Federation intend to accelerate joint work on the conversion of defence industries to civilian production.

DONE at Washington, in duplicate, this seventeenth day of June 1992, in the English and Russian languages, each text being equally authentic.

17 June 1992

JOINT UNDERSTANDING

The President of the United States and the President of the Russian Federation have agreed to substantial further reductions in strategic offensive arms. Specifically, the two sides have agreed upon and will promptly conclude a Treaty with the following provisions:

Within the seven-year period following entry into force of the START Treaty, they will reduce their strategic forces to no more than:

- An overall total number of warheads for each between 3,800 and 4,250 (as each nation shall determine) or such lower number as each nation shall decide.

- 1,200 MIRVed ICBM warheads.

- 650 heavy ICBM warheads.

- 2,160 SLBM warheads.

By the year 2003 (or by the end of the year 2000 if the United States can contribute to the financing of the destruction or elimination of strategic offensive arms in Russia), they will:

- Reduce the overall total to no more than a number of warheads for each between 3,000 and 3,500 (as each nation shall determine) or such lower number as each nation shall decide.

- Eliminate all MIRVed ICBMs.

- Reduce SLBM warheads to no more than 1,750.

For the purpose of calculating the overall totals described above:

The number of warheads counted for heavy bombers with nuclear roles will be the number of nuclear weapons they are actually equipped to carry.

Under agreed procedures, heavy bombers not to exceed 100 that were never equipped for long-range nuclear ALCMs and that are reoriented to conventional roles will not count against the overall total established by this agreement.

- Such heavy bombers will be based separately from heavy bombers with nuclear roles.

- No nuclear weapons will be located at bases for heavy bombers with conventional roles.

- Such aircraft and crews will not train or exercise for nuclear missions.

- Current inspection procedures already agreed in the START Treaty will help affirm that these bombers have conventional roles. No new verification procedures are required.

- Except as otherwise agreed, these bombers will remain subject to the provisions of the START Treaty, including the inspection provisions.

The reductions required by this agreement will be carried out by eliminating missile launchers and heavy bombers using START procedures, and, in accordance with the plans of the two sides, by reducing the number of warheads on existing ballistic missiles other than the SS-18. Except as otherwise agreed, ballistic missile warheads will be calculated according to START counting rules.

The two Presidents directed that this agreement be promptly recorded in a brief Treaty document which they will sign and submit for ratification in their respective countries. Because this new agreement is separate from but builds upon the START Treaty, they continue to urge that the START Treaty be ratified and implemented as soon as possible.

For the United States of America:

(Signed): George Bush

For the Russian Federation:

(Signed): Boris Yeltsin

17 June 1992

JOINT STATEMENT ON CHEMICAL WEAPONS

President Bush and President Yeltsin stressed their continuing commitment to the global elimination of chemical weapons. They expressed their conviction that the Geneva negotiations on a multilateral convention banning chemical weapons can be concluded by the end of August. They agreed to instruct their representatives accordingly, and called on all participants in the negotiations to do their utmost to achieve this goal. They expressed the hope that a ministerial meeting could be convened in that time-frame to approve the convention.

The two leaders underscored their support for the 1989 Wyoming Joint Memorandum on phased confidence-building measures in the area of chemical weapons destruction, and agreed to implement the new, cooperative provisions for detailed data exchanges and inspections included in the Joint Memorandum as soon as arrangements can be completed. They also agreed that the June 1990 bilateral chemical weapons Destruction Agreement would be updated and brought into force promptly.

17 June 1992

JOINT RUSSIA-UNITED STATES STATEMENT
ON KOREAN NUCLEAR NON-PROLIFERATION

Russia and the United States, supporting the efforts by the international community to counter the proliferation of nuclear weapons, note the positive changes in strengthening the nuclear non-proliferation regime in Korea. They applaud the North-South Joint Declaration on the Denuclearization of the Korean Peninsula of 31 December 1991, and call for the full implementation of this agreement, which will make an essential contribution to strengthening regional peace and security and to reconciliation and stability on the Korean Peninsula. The sides welcome the Democratic People's Republic of Korea ratification of the safeguards agreement with the IAEA and encourage further cooperation with the agency in placing its nuclear facilities under appropriate safeguards. Full compliance by the Democratic People's Republic of Korea with its obligations under the non-proliferation Treaty and the Joint Declaration, including IAEA safeguards as well as credible and effective bilateral nuclear inspections, will make possible the full resolution of international concerns over the nuclear problem on the Korean Peninsula.

17 June 1992

JOINT STATEMENT ON A GLOBAL PROTECTION SYSTEM

The Presidents continued their discussion of the potential benefits of a global protection system (GPS) against ballistic missiles, agreeing that it is important to explore the role for defences in protecting against limited ballistic missile attacks. The two Presidents agreed that their two nations should work together with allies and other interested States in developing a concept for such a system as part of an overall strategy regarding the proliferation of ballistic missiles and weapons of mass destruction. Such cooperation would be a tangible expression of the new relationship that exists between Russia and the United States and would involve them in an important undertaking with other nations of the world community.

The two Presidents agreed it is necessary to start work without delay to develop the concept of the GPS. For this purpose they agreed to establish a high-level group to explore on a priority basis the following practical steps:

- The potential for sharing of early warning information through the establishment of an early warning centre.

- The potential for cooperation with participating States in developing ballistic missile defence capabilities and technologies.

- The development of a legal basis for cooperation, including new treaties and agreements and possible changes to existing treaties and agreements necessary to implement the global protection system.

17 June 1992

JOINT RUSSIAN-AMERICAN DECLARATION ON DEFENCE CONVERSION

The United States of America and the Russian Federation recognize that defence conversion is a key challenge of the post Cold War era and essential for building a democratic peace. Both parties realize the hardships involved in defence conversion efforts. But the parties realize, too, that the successful conversion of resources no longer needed for defence is in the long-term economic and national security interests of their peoples. Therefore, the United States of America and the Russian Federation declare their intention to devote priority to cooperation in advancing defence conversion.

Recognizing the important role of the private sector and of practical participation by business communities in the complex task of defence conversion, the United States of America and the Russian Federation are establishing a United States-Russian Defence Conversion Committee to facilitate conversion through expanded trade and investment. The intergovernmental committee will be established within the framework of the United States-Russian Business Development Committee and will be designed to facilitate the exchange of information and the promotion of trade and investment, including through the development of contacts between interested groups, the expansion of information exchange on enterprises undergoing conversion, and, the improvement of conditions for commercial activities in both countries through the identification and removal of obstacles to expanded trade and investment. The Committee will inform the Governments of both countries on a regular basis of the results of its activities, in order that they may take timely and effective measures to eliminate impediments to bilateral cooperation in the area of conversion.

With the aim of promoting successful cooperation in conversion, each of the parties intends to take a number of practical steps in the near future.

The Russian Federation intends to establish on its territory a favourable political, economic, legal and regulatory climate for American trade and investment, including the adoption of macroeconomic reforms necessary to institute convertibility of the rouble; the pursuit of complementary microeconomic reforms to support the privatization and demonopolization of industry; the enactment of laws to guarantee contract and property rights; and, the dissemination of internationally accepted standards of basic business and financial information on enterprises undergoing conversion.

The United States intends to facilitate United States business engagement in commercially viable conversion projects in Russia, including joint ventures, through the placement of long-term defence conversion resident advisers to serve as catalysts for United States business engagement and to provide expertise to local leaders and enterprise directors; the establishment in Russia of business centres with translation, education and training facilities for United States businesses operating in Russia; the creation of a business information service ("BISNIS") in Washington to match businesses in Russia with potential investors in the United States; and, the involvement of the

Trade and Development Programme, the Overseas Private Investment Corporation, and the Export-Import Bank to provide incentives to American private investment in commercially viable defence conversion projects.

The United States of America and the Russian Federation endorse the COCOM Cooperation Forum on Export Control as a means to heal Cold War divisions and advance conversion through helping to remove barriers to high-technology trade, assisting in the establishment of COCOM-comparable export control regimes in Russia and the other new independent States, and establishing procedures to ensure the civil end-use of sensitive goods and technologies on matters of common concern. Both parties agree that this process is based on their mutual determination strictly to adhere to world standards of export controls in the area of the non-proliferation of weapons of mass destruction and related technologies, missiles and missile technology, destabilizing conventional armaments, and dual-use goods and technologies.

The parties strongly encourage the expansion of bilateral defence and military contacts and the work of the North Atlantic Cooperation Council in addressing the full range of military issues that are critically linked to the success of conversion including civilian control of the military in a democracy; defence planning, budgeting and procurement in a market economy; base closings and conversions; and demobilization and retraining as well as social protection.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE RUSSIAN FEDERATION CONCERNING THE SAFE AND SECURE TRANSPORTATION, STORAGE AND DESTRUCTION OF WEAPONS AND THE PREVENTION OF WEAPONS PROLIFERATION

The United States of America and the Russian Federation hereinafter referred to as the Parties,

Desiring to facilitate the safe and secure transportation and storage of nuclear, chemical, and other weapons in the Russian Federation in connection with their destruction,

Intending to build upon the framework for cooperation set forth in the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding Cooperation to Facilitate the Provision of Assistance of 4 April 1992,

Have agreed as follows:

ARTICLE I

The Parties shall cooperate in order to assist the Russian Federation in achieving the following objectives:

(a) the destruction of nuclear, chemical, and other weapons;

(b) the safe and secure transportation and storage of such weapons in connection with their destruction; and

(c) the establishment of additional verifiable measures against the proliferation of such weapons that pose a risk of proliferation.

ARTICLE II

1. The Parties, through their Executive Agents, shall enter into implementing agreements as appropriate to accomplish the objectives set forth in Article I of this Agreement. The implementing agreements shall include, inter alia:

(a) a description of the activities to be undertaken;

(b) provisions concerning the sequence of activities;

(c) provisions concerning access to material, training or services provided at sites of their use, if possible, for monitoring and inspection; and

(d) other provisions as appropriate.

2. In case of any inconsistency between this Agreement and any implementing agreements, the provisions of this Agreement shall prevail.

ARTICLE III

Each Party shall designate an Executive Agent to implement this Agreement. For the United States of America, the Executive Agent shall be the Department of Defense. For the Russian Federation, with respect to nuclear weapons, the Executive Agent shall be the Ministry of Atomic Energy.

ARTICLE IV

Except as otherwise provided in this Agreement or in an implementing agreement, the terms of this Agreement shall apply to all material, training or services provided in accordance with this Agreement or implementing agreements, and to all related activities and personnel.

ARTICLE V

1. The Russian Federation shall facilitate the entry and exit of employees of the Government of the United States of America and contractor personnel of the United States of America into and out of the territory of the Russian Federation for the purpose of carrying out activities in accordance with this Agreement.

2. Aircraft and vessels, other than regularly scheduled commercial aircraft and vessels, used by the United States of America in connection with activities pursuant to this Agreement in the Russian Federation shall, in accordance with international law, be free of customs inspections, customs charges, landing fees, navigation charges, port charges, tolls, and any other charges by the Russian Federation or any of its instrumentalities.

3. If an aircraft other than a regularly scheduled commercial aircraft is used by the United States of America for transportation to the Russian Federation, its flight plan shall be filed in accordance with the procedures of the International Civil Aviation Organization applicable to civil aircraft, including in the remarks section of the flight plan confirmation that the appropriate clearance has been obtained. The Russian Federation shall provide parking, security protection, servicing, and fuel for aircraft of the United States of America.

ARTICLE VI

Unless the written consent of the United States of America has first been obtained, the Russian Federation shall not transfer title to, or possession of, any material, training or services provided pursuant to this Agreement to any entity, other than on officer, employee or agent of a Party to this Agreement and shall not permit the use of such material, training or services for purposes other than those for which it has been furnished.

ARTICLE VII

1. The Russian Federation shall, in respect of legal proceedings and claims, other than contractual claims, hold harmless and bring no legal proceedings against the United States of America and personnel, contractors,

and contractors' personnel of the United States of America, for damage to property owned by the Russian Federation, or death or injury to any personnel of the Russian Federation, arising out of activities pursuant to this Agreement.

2. Claims by third parties, arising out of the acts or omissions of any employees of the United States of America or contractors or contractors' personnel of the United States of America done in the performance of official duty, shall be the responsibility of the Russian Federation.

3. The provisions of this Article shall not prevent the Parties from providing compensation in accordance with their national laws.

4. The Parties may consult, as appropriate, on claims and proceedings under this Article.

5. Nothing in this Article shall be construed to prevent legal proceedings or claims against nationals of the Russian Federation or permanent residents of the Russian Federation.

ARTICLE VIII

The activities of the United States of America under this Ageement are subject to availability of appropriated funds.

ARTICLE IX

Employees of the Government of the United States of America present in the territory of the Russian Federation for activities related to this Agreement shall be accorded privileges and immunities equivalent to that accorded administrative and technical staff personnel in accordance with the Vienna Convention on Diplomatic Relations of 18 April 1961.

ARTICLE X

1. The United States of America, its personnel, contractors, and contractors' personnel shall not be liable to pay any tax or similar charge by the Russian Federation or any of its instrumentalities on activities undertaken in accordance with this Agreement.

2. The United States of America, its personnel, contractors, and contractors' personnel may import into, and export out of, the Russian Federation any equipment, supplies, material or services required to implement this Agreement. Such importation and exportation of articles or services shall not be subject to any licence, other constrictions, customs, duties, taxes or any other charges or inspections by the Russian Federation or any of its instrumentalities.

ARTICLE XI

In the event that a Party awards contracts for the acquisition of articles and services, including construction, to implement this Agreement, such contracts shall be awarded in accordance with the laws and regulations of

that Party. Acquisition of articles and services in the Russian Federation by or on behalf of the United States of America in implementing this Agreement shall not be subject to any taxes, customs, duties or similar charges by the Russian Federation or its instrumentalities.

ARTICLE XII

The Russian Federation shall take all reasonable measures within its power to ensure the security of material, training or services provided pursuant to this Agreement and shall protect them against seizure or conversion.

ARTICLE XIII

Upon request, representatives of the Government of the United States of America shall have the right to examine the use of any material, training or other services provided in accordance with this Agreement, if possible at sites of their location or use, and shall have the right to inspect any and all related records or documentation during the period of this Agreement and for three years thereafter. These inspections shall be carried out in accordance with procedures to be agreed upon by the Parties.

ARTICLE XIV

This Agreement shall enter into force upon signature and shall remain in force for seven years. This Agreement may be amended or extended by the written agreement of the Parties and may be terminated by either Party upon 90 days' written notification to the other Party of its intention to do so. Notwithstanding the termination of this Agreement or the implementing agreements, the obligations of the Russian Federation in accordance with Articles VI, VII, IX, X, XII of this Agreement shall continue to apply without respect to time, unless otherwise agreed in writing by the Parties.

DONE at Washington this 17th day of June 1992, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES
OF AMERICA:

(Signed): George Bush

FOR THE RUSSIAN
FEDERATION:

(Signed) Boris Yeltsin

AGREEMENT BETWEEN THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA AND THE MINISTRY OF ATOMIC ENERGY OF THE RUSSIAN FEDERATION CONCERNING THE SAFE AND SECURE TRANSPORTATION AND STORAGE OF NUCLEAR WEAPONS THROUGH THE PROVISION OF EMERGENCY RESPONSE EQUIPMENT AND RELATED TRAINING

The Department of Defense of the United States of America and the Ministry of Atomic Energy of the Russian Federation, hereinafter referred to as the Parties,

Desiring to facilitate the safe and secure transportation and storage of nuclear weapons in the Russian Federation in connection with the destruction of nuclear weapons and to assist in the prevention of weapons proliferation,

Have agreed as follows:

ARTICLE I

1. In order to assist the Russian Federation in the safe and secure transportation and storage of nuclear weapons in connection with the expeditious destruction of nuclear weapons, the Department of Defense of the United States of America, hereinafter referred to as DOD, shall provide at no cost to the Ministry of Atomic Energy of the Russian Federation, hereinafter referred to as MINATOM, the emergency nuclear weapon accident response equipment specified in Annex A, which is an integral part of this Agreement, together with related technical manuals. This equipment shall conform with the technical specifications established by the DOD.

2. The MINATOM shall use all material, training and services provided in accordance with this Agreement exclusively for the purpose of facilitating the safe and secure transportation and storage of nuclear weapons in connection with their destruction.

3. The DOD and the United States of America shall not be responsible for ensuring either the proper use of material, training or services provided in accordance with this Agreement or against any failure of the material, training or services to provide intended levels of protection.

4. This Agreement and all activities undertaken in accordance with this Agreement shall be subject to the provisions of the Agreement between the United States of America and the Russian Federation Concerning the Safe and Secure Transportation, Storage and Destruction of Weapons and the Prevention of Weapons Proliferation of 17 June 1992, hereinafter referred to as the Weapons Destruction and Non-Proliferation Agreement.

ARTICLE II

1. Each Party to this Agreement shall have the right, following written notification of the other Party, to delegate responsibilities for the implementation of this Agreement to other agencies, departments or units of their respective Governments.

2. Each Party to this Agreement shall have the right, following written notification of the other Party, to designate technical liaison representatives for material, training and services provided pursuant to this Agreement.

ARTICLE III

1. The total cost of material, training and services provided pursuant to this Agreement and associated expenses, including costs related to the transportation of material and personnel to and from the Russian Federation, to the DOD shall not exceed $US 10 million.

2. Delivery of material and training pursuant to this Agreement shall commence within eight months after this Agreement shall enter into force.

3. The equipment to be provided pursuant to this Agreement shall be delivered to Moscow, unless the Parties otherwise agree. The DOD shall notify MINATOM of the planned date of each shipment at least 72 hours in advance. The MINATOM shall take possession of the equipment within six hours after the receipt of the notification of the arrival of such shipment.

ARTICLE IV

The MINATOM shall examine all material received pursuant to this Agreement and provide confirmation to the DOD within ten days of receipt that it conforms with the specifications established by the DOD. Any material failing to conform with these specifications shall be returned to the United States of America through the Embassy of the United States of America at Moscow within 30 days of receipt for replacement.

ARTICLE V

Upon 30 days' advance notice and no more than three times in each calendar year, representatives of the DOD shall have the right to examine the use of any material, training or other services provided in accordance with this Agreement, if possible at sites of their location or use, and shall have the right to inspect any and all related records or documentation during the period of this Agreement and for three years thereafter.

ARTICLE VI

1. The DOD shall provide the MINATOM with a set of technical manuals and initial operator training on the equipment in accordance with the terms of this Article. The delivery of the manuals and training shall be integrated, to the maximum extent feasible, with the delivery of the equipment such that the equipment may be operated safely as soon as practical after it is delivered.

2. The DOD may provide, in its discretion, training to the MINATOM representatives related to the operation of equipment provided pursuant to this Agreement in a maximum of five phases:

(a) A training programme review phase during which representatives of the MINATOM may have an opportunity to review the training programme and suggest modifications which address specific needs in the Russian Federation. This phase of training, if undertaken, would be conducted in the United States of America;

(b) An initial operator training phase during which personnel of the Russian Federation may be trained on the operation of equipment. This phase of training, if undertaken, would be conducted in the Russian Federation;

(c) A periodic review training phase. This phase of training, if undertaken, would be conducted in either the Russian Federation or the United States of America, as agreed by the Parties;

(d) An update training phase, as required by unforeseen circumstances or equipment modifications. This phase of training, if undertaken, would be conducted in either the Russian Federation or the United States of America, as agreed by the Parties;

(e) A maintenance and calibration training phase. This training may be provided by the DOD until such time as the representatives of the MINATOM have acquired sufficient familiarity with the equipment to assume responsibility for maintenance and calibration as described in this Agreement. This training, if undertaken, would be conducted in the Russian Federation.

ARTICLE VII

The DOD may provide, in its discretion, initial maintenance and calibration services, spare parts, and repair parts to the MINATOM for the operation of equipment provided pursuant to this Agreement.

ARTICLE VIII

As appropriate, the Parties may enter into implementing arrangements to carry out the provisions of this Agreement. In case of any inconsistency between this Agreement and any such arrangements, the provisions of this Agreement shall prevail.

ARTICLE IX

This Agreement shall enter into force upon signature and shall remain in force for two years or for the duration of the Weapons Destruction and Non-Proliferation Agreement, which ever is shorter. This Agreement may be amended or extended by the written agreement of the Parties and may be terminated by either Party upon 90 days written notification to the other Party of its intention to do so.

DONE at Washington D.C. this 17th day of June 1992, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA

(Signed): Donald Atwood

FOR THE MINISTRY OF THE ATOMIC ENERGY OF THE RUSSIAN FEDERATION

(Signed): A. Kozyrev

ANNEX A TO THE AGREEMENT BETWEEN THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA AND THE MINISTRY OF ATOMIC ENERGY OF THE RUSSIAN FEDERATION CONCERNING THE SAFE AND SECURE TRANSPORTATION AND STORAGE OF NUCLEAR WEAPONS THROUGH THE PROVISION OF EMERGENCY RESPONSE EQUIPMENT AND RELATED TRAINING

Item description	Quantity
Communication equipment	
Saber I radio system	100
Protective clothing	
Various clothing sets	820
Survey instrumentation	
Violinist II Kits	100
Radiography	
High energy radiography	1
Video and optics	
Portable integrated video system (PIVS)	4
Fiberscope system	4
Access equipment	
Emergency access equipment	10
Liquid abrasive cutter	2
Computer network	
Laptop system	3
Stabilization system	
Silicon rubber/polyurethane Damaged weapon packaging/equipment module	3

AGREEMENT BETWEEN THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA AND THE MINISTRY OF ATOMIC ENERGY OF THE RUSSIAN FEDERATION CONCERNING THE SAFE AND SECURE TRANSPORTATION AND STORAGE OF NUCLEAR WEAPONS THROUGH THE PROVISION OF ARMOURED BLANKETS

The Department of Defense of the United States of America and the Ministry of Atomic Energy of the Russian Federation, hereinafter referred to as the Parties,

Desiring to facilitate the safe and secure transportation and storage of nuclear weapons in the Russian Federation in connection with their destruction and to assist in the prevention of weapons proliferation,

Have agreed as follows:

ARTICLE I

1. In order to assist the Russian Federation in the safe and secure transportation and storage of nuclear weapons in connection with their expeditious destruction, the Department of Defense of the United States of America, hereinafter referred to as DOD, shall provide at no cost to the Ministry of Atomic Energy of the Russian Federation, hereinafter referred to as MINATOM, armoured blankets, hereinafter referred to as blankets, as specified in Article VI of this Agreement.

2. The MINATOM shall use all material, training and services provided in accordance with this Agreement exclusively for the purpose of augmenting the protective capability of nuclear weapon containers and vehicles carrying nuclear weapons to and within destruction facilities and necessary related storage facilities.

3. The DOD and the United States of America shall not be responsible for ensuring either the proper use of material, training or services provided in accordance with this Agreement or against any failure of the material, training or services to provide intended levels of protection.

4. This Agreement and all activities undertaken in accordance with this Agreement shall be subject to the provisions of the Agreement Between the United States of America and the Russian Federation Concerning the Safe and Secure Transportation, Storage and Destruction of Weapons and the Prevention of Weapons Proliferation of 17 June 1992, hereinafter referred to as the Weapons Destruction and Non-Proliferation Agreement.

ARTICLE II

1. Each Party to this Agreement shall have the right, following written notification to the other Party, to delegate responsibilities for the implementation of this Agreement to other agencies, departments or units of their respective governments.

2. Each Party to this Agreement shall have the right, following written notification to the other Party, to designate technical liaison representatives for material, training and services provided pursuant to this Agreement.

ARTICLE III

1. The total cost of all material, training and services provided pursuant to this Agreement and associated expenses, including costs related to the transportation of material and personnel to and from the Russian Federation, to the DOD shall not exceed $US 5 million.

2. Delivery of blanekts pursuant to this Agrement shall commence as follows:

(a) for existing United States Army nylon blankets, up to 200 sets within 60 days after this Agreement enters into force; and

(b) for soft armour blankets, lots of 30-40 sets as they are produced with total delivery of up to 250 sets within one year after this Agreement enters into force.

3. The blankets shall be delivered to Moscow, unless the Parties otherwise agree. The DOD shall notify the MINATOM of the planned date of each shipment at least 72 hours in advance. The MINATOM shall take possession of the blankets within six hours after the receipt of the notification of the arrival of such blankets.

ARTICLE IV

The MINATOM shall examine all blankets received pursuant to this Agreement and provide confirmation to the DOD within ten days of receipt that they conform with the technical characteristics and specifications set forth in Article VI of this Agreement. Any blankets failing to conform with these standards shall be returned to the United States of America through the Embassy of the United States of America at Moscow within 30 days of receipt for replacement.

ARTICLE V

Upon 30 days' advance notice and no more than three times in each calendar year, representatives of the DOD shall have the right to examine the use of any material, training or other services provided in accordance with this Agreement, if possible at sites of their location or use, and shall have the right to inspect any and all related records or documentation during the period of this Agreement and for three years thereafter.

ARTICLE VI

Blankets provided to the MINATOM pursuant to this Agreement shall conform to the standards listed in the following categories:

(a) Up to 250 soft armour blankets, to be manufactured, each consisting of ten identical 2 m x 1 m all-purpose panels with eyelets and velcro fasteners that can be assembled into blankets for various size nuclear weapon containers and designed to be capable of protecting such containers against damage by 9.00 mm Makarov-pistol bullets and hand grenade fragments; and

(b) Up to 200 existing sets of United States Army nylon armour blankets, each consisting of six panels, 1.52 metres x 1.04 metres in size and designed to be capable of protecting nuclear weapon containers against damage by 9.00 mm Makarov-pistol bullets and hand grenade fragments.

ARTICLE VII

The DOD may provide, in its discretion, training to the MINATOM related to the use of material provided in accordance with this Agreement.

ARTICLE VIII

As appropriate, the Parties may enter into implementing arrangements to carry out the provisions of this Agreement. In case of any inconsistency between this Agreement and any such arrangements, the provisions of this Agreement shall prevail.

ARTICLE IX

This Agreement shall enter into force upon signature and shall remain in force for two years or for the duration of the Weapons Destruction and Non-Proliferation Agreement, whichever is shorter. This Agreement may be amended or extended by the written agreement of the Parties and may be terminated by either Party upon 90 days written notification to the other Party of its intention to do so.

DONE at Washington, D.C. this 17th day of June 1992, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA

(Signed): Donald Atwood

FOR THE MINISTRY OF THE ATOMIC ENERGY OF THE RUSSIAN FEDERATION

(Signed): A. Kozyrev

AGREEMENT BETWEEN THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA AND THE MINISTRY OF ATOMIC ENERGY OF THE RUSSIAN FEDERATION CONCERNING THE SAFE AND SECURE TRANSPORTATION AND STORAGE OF NUCLEAR WEAPONS MATERIAL THROUGH THE PROVISION OF FISSILE MATERIAL CONTAINERS

The Department of Defense of the United States of America and the Ministry of Atomic Energy of the Russian Federation, hereinafter referred to as the Parties,

Desiring to facilitate the safe and secure transportation and storage of nuclear weapons and nuclear weapons material in the Russian Federation in connection with the destruction of nuclear weapons and to assist in the prevention of weapons proliferation,

Have agreed as follows:

ARTICLE I

1. In order to assist the Russian Federation in the safe and secure transportation and storage of nuclear weapons and nuclear weapons material in connection with the expeditious destruction of nuclear weapons, the Department of Defense of the United States of America, hereinafter referred to as DOD, shall provide at no cost to the Ministry of Atomic Energy of the Russian Federation, hereinafter referred to as the MINATOM, fissile material containers, hereinafter referred to as the containers, in accordance with the terms of this Agreement and conforming with technical specifications established by the DOD. In establishing these technical specifications, the DOD shall take into account the recommendations of the MINATOM and the results of technical discussions between the Parties. Additional procedures and requirements related to the provision of the containers are specified in Annex A, which is an integral part of this Agreement.

2. The MINATOM shall use all material, training and services provided in accordance with this Agreement exclusively for the purpose of providing protective transport and storage of fissile material in connection with the expeditious destruction of nuclear weapons.

3. The DOD and the United States of America shall not be responsible for ensuring either the proper use of material, training or services provided in accordance with this Agreement or against any failure of the material, training or services to provide intended levels of protection.

4. This Agreement and all activities undertaken in accordance with this Agreement shall be subject to the provisions of the Agreement Between the United States of America and the Russian Federation Concerning the Safe and Secure Transportation, Storage and Destruction of Weapons and the Prevention of Weapons Proliferation of 17 June 1992, hereinafter referred to as the Weapons Destruction and Non-Proliferation Agreement.

ARTICLE II

1. Each Party to this Agreement shall have the right, following written notification to the other Party, to delegate responsibilities for the implementation of this Agreement to other agencies, departments or units of their respective governments.

2. Each Party to this Agreement shall have the right, following written notification to the other Party, to designate technical liaison representatives for material, training and services provided pursuant to this Agreement.

ARTICLE III

1. The total cost of all material, training and services provided pursuant to this Agreement and associated expenses, including costs related to the transportation of material and personnel to and from the Russian Federation, to the DOD shall not exceed US$ 50 million.

2. The DOD shall initially deliver up to ten thousand containers to the MINATOM pursuant to this Agreement. The non-binding target date for completion of the delivery of these containers is 31 December 1995. The DOD may, at its discretion, increase the number of containers to be delivered pursuant to this Agreement, provided that the total cost of such additional containers and related services and training does not exceed US$ 50 million.

3. The equipment to be provided pursuant to this Agreement shall be delivered to Moscow, unless the Parties otherwise agree. The DOD shall notify the MINATOM of the planned date of each shipment at least seven days in advance of the anticipated shipping date. The MINATOM shall take possession of the containers within six hours after receipt of the notification of the arrival of such containers.

ARTICLE IV

The MINATOM shall examine all containers received purusant to this Agreement and provide confirmation to the DOD within ten days of receipt that they conform with the technical specifications established by the DOD. Damaged containers and material failing to conform with agreed specifications shall be returned to the United States of America through the Embassy of the United States of America at Moscow within 30 days of receipt for replacement.

ARTICLE V

Upon 30 days' advance notice and no more than three times in each calendar year, representatives of the DOD shall have the right to examine the use of any material, training or other services provided in accordance with this Agreement, if possible at sites of their location or use, and shall have the right to inspect any and all related records or documentation during the period of this Agreement and for three years thereafter.

ARTICLE VI

As appropriate, the Parties may enter into implementing arrangements to carry out the provisions of this Agreement. In case of any inconsistency between this Agreement and any such arrangements, the provisions of this Agreement shall prevail.

ARTICLE VII

This Agreement shall enter into force upon signature and shall remain in force for four years or for the duration of the Weapons Destruction and Non-Proliferation Agreement, whichever is shorter. This Agreement may be amended or extended by the written agreement of the Parties and may be terminated by either Party upon ninety days written notification to the other Party of its intention to do so.

DONE at Washington, D.C. this 17th day of June, 1992, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE DEPARTMENT OF
DEFENSE OF THE
UNITED STATES OF AMERICA:

(Signed): Donald Atwood

FOR THE MINISTRY OF
ATOMIC ENERGY OF THE
RUSSIAN FEDERATION:

(Signed): A. Kozyrev

ANNEX A TO THE AGREEMENT BETWEEN THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA AND THE MINISTRY OF ATOMIC ENERGY OF THE RUSSIAN FEDERATION CONCERNING THE SAFE AND SECURE TRANSPORTATION AND STORAGE OF NUCLEAR WEAPONS MATERIAL THROUGH THE PROVISION OF FISSILE MATERIAL CONTAINERS

ARTICLE I

Within 30 days of the entry into force of this Agreement, the MINATOM shall provide a document, in Russian and English, to the DOD which fully describes design requirements recommended by the MINATOM for the containers. This document shall include the following information: vibration input environments; permissible vibration levels in the inner vessel; acceptable leak rate levels of the inner vessel in all environments; requirements not defined by the International Atomic Energy Safety Series No. 6; and other design requirements. This document shall constitute only a MINATOM recommendation and the DOD shall, to the maximum extent practical, use it in the design of containers to be provided to the MINATOM.

ARTICLE II

1. Within 60 days of the entry into force of this Agreement, the DOD shall provide to the MINATOM, for information purposes only, cost estimates and a schedule for the design, qualification and production activities for ten thousand containers, designated as the AT400R. These scheduled activities shall include: a test plan for the qualification tests which shall ensure compliance with DOD design requirements; identification of witness points for the MINATOM technical experts to observe the qualification tests; development of operating procedures for the use of the AT400R container; and, preparation of acceptance test plans, to include witness points for the MINATOM technical experts.

2. When available, the DOD shall provide to the MINATOM designs, specifications, and reports detailing the results of analysis and tests of the AT400R containers' mechanical and thermal performance in normal and accident situations or environments.

ARTICLE III

DOD may, in its discretion and in accordance with Article I of this Annex, invite the MINATOM technical experts to the United States of America or other locations to witness qualification and acceptance tests for the containers. The costs associated with these observation activities shall be borne by the DOD; the number of the MINATOM experts shall be determined by the DOD after consultation with the MINATOM.

ARTICLE IV

The DOD shall prepare and provide to the MINATOM operating specifications for the containers. The DOD may provide, at its discretion, training and supplementary materials and services to the MINATOM in order to carry out the purposes of this agreement.

ARTICLE V

The DOD shall not be responsible for payment of expenses related to the construction procedures or modification of containers that are not required for conformance with the DOD standards and specifications for containers provided pursuant to this Agreement.